IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Crim. Rev. Application No. 343 of 2006

Shri Tanaji Dadarao Sonawane ..Applicant

vs.

Sou.Pushpa Gopal Suryavanshi
and another ..Respondents

Shri N.P.Deshpande for applicant.
Shri Rajesh More, A.P.P. for respondent State.

CORAM: S.C.DHARMADHIARI J.
15th December,2006

P.C.

1. This Court on 9th October, 2006 recorded the statement of Shri Deshpande made on instructions of the applicant that he is ready and willing to deposit the cheque amount of Rs.70,000/- in the Trial Court within 4 weeks from 9th October, 2006. Statement was recorded based upon the notice issued to the original complainant.

2. Registry has reported that the amount of Rs.70,000/- is not deposited.

3. I gave two opportunities to the applicant to show his bonafides and even granted instalments by order dated 27th November, 2006.

4. The matter was adjourned till today to find

out the compliance made with the order dated 27th November, 2006.

5. In all fairness it is pointed out that the amount of Rs.20,000/- has also not been deposited. Consequently the applicant is not entitled to the discretionary and equitable juruisdiction of this Court. It would be futile now to scrutinise the impugned order and also summon the original complainant. Repeated opportunities having not been availed of the applicant does not deserve any further leniency.

6. Application is, therefore, dismissed.

(S.C.DHARMADHIKARI J.)